

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

BIOVAIL LABORATORIES INTERNATIONAL SRL)	
a corporation of Barbados,)	
)	
Plaintiff,)	C.A. Nos. 05-586 (KAJ)
)	05-730 (KAJ)
v.)	06-620 (KAJ)
)	(CONSOLIDATED)
ANDRX PHARMACEUTICALS, LLC and)	
ANDRX CORPORATION,)	
)	
Defendants.)	

**BIOVAIL'S CROSS-MOTION FOR SUMMARY JUDGMENT
OF NO COLLATERAL ESTOPPEL**

Plaintiff Biovail Laboratories International SRL ("Biovail") hereby cross-moves for summary judgment of no collateral estoppel. The grounds for this motion are set forth in Biovail's opening brief, filed herewith.

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January 19, 2007
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CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on January 19, 2007, I electronically filed the foregoing with the Clerk of the Court using CM/ECF, which will send notification of such filing(s) to the following:

Richard L. Horwitz
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